

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

SENTINEL INSURANCE COMPANY,  
LTD.,

Plaintiff,

v.

CONRAD J. BENEDETTO,  
THE LAW OFFICES OF CONRAD J.  
BENEDETTO, and JOHN GROFF,

Defendants.

Civ. No. 19-20142 (RMB/AMD)

**ORDER**

**BUMB, U.S. District Judge**

This matter comes before the Court upon its own motion. On September 6, 2022, this Court ordered Defendants Conrad J. Benedetto and the Law Offices of Conrad J. Benedetto (for purposes of this Order, the “Defendants”) to, by no later than 30 days from the date thereof, submit a Reply Brief and address each of the following issues: (1) what explains the delay in filing the Rule 60(b) motion based on evidence that was already available to the Defendants; and (2) whether other exceptions in the parties’ insurance policy are applicable, including the exclusion for intentional acts (and relatedly, whether intentional acts can even constitute an “occurrence” under the policy) and the employer’s liability exclusion.

To date, Defendants have not filed any additional briefing with the Court as it previously ordered. Accordingly, the Court presumes that Defendants have

abandoned their prior Motion to Set Aside the Court's Summary Judgment Order pursuant to Fed. R. Civ. P. 60(b)(2) [Docket No. 50], which the Court administratively terminated pending submission of the additional briefing described above [Docket No. 55]. Accordingly,

**IT IS** this 11th day of October 2022, hereby

**ORDERED** that the Clerk of the Court shall reinstate Defendants' Motion to Set Aside the Court's Summary Judgment Order pursuant to Fed. R. Civ. P. 60(b)(2) [Docket No. 50]; and it is further

**ORDERED** that Defendants' Motion to Set Aside the Court's Summary Judgment Order pursuant to Fed. R. Civ. P. 60(b)(2) [Docket No. 50] is hereby **DISMISSED WITHOUT PREJUDICE** for failure to comply with the Court's Order entered on September 6, 2022 [Docket No. 55].

s/ Renée Marie Bumb  
Renée Marie Bumb  
U.S. District Judge